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IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF FEBRUARY  
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE K.C. BHANU**

**WRIT PETITION NO: 1535 of 2005**

Between:

Sri Golla Lokaradya, S/o Late Golla Ramachandra Naidu,  
R/o H.No. 6-78, Vijayalakshmi Colony, Santhapet,  
Chittoor –517 001.

**... PETITIONER**

AND

- 1 The State of Andhra Pradesh, rep. by its Principal Secretary,  
Department of Tribal Welfare, A.P. Secretariat, Hyderabad.
- 2 The Collector & District Magistrate, Chittoor District, Chittoor.
- 3 The Commissioner Tribal Welfare, A.P. Secretariat, Hyderabad.
- 4 The Commissioner Commercial Taxes, M.J. Road, Hyderabad.
- 5 Deputy Commissioner of Commercial Taxes, Chittoor District,

Chittoor.

- 6 The Revenue Divisional Officer, Chittoor District, Chittoor.

**...RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to call for the entire records from the Respondents, peruse the same and graciously be pleased to grant the following relief: A. Issue a or any other appropriate Writ or Order or Direction particularly a Writ of Mandamus and set aside the impugned order bearing No. Roc.C3/28073/97 dated 5-12-2004 (Annexure - P-7) passed by the Collector and District Magistrate, Chittoor, (R-2) and Pass Consequential Direction to the Respondents to revoke the order dated 8-12-2004 (Annexure- P-8) by which the Petitioner is suspended from service on the basis of this caste cancellation order dated 5-12-2004; B. Direct the Respondents to pay the Petitioner the costs of this Writ Petition.

**Counsel for the Petitioner: MR.G.S.RAO**

**Counsel for the Respondents: GP FOR SOCIAL WELFARE**

The Court, at the admission stage, made the following:

**ORDER:**

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare appearing on behalf of the respondents.

2. Challenging the Proceedings Roc.C3/28073/97 dated 05-12-2004 passed by the second respondent, District Collector; the present writ petition is filed.

3. Admittedly, petitioner filed statutory appeal before the first respondent - Government dated 05-12-2004 as against the impugned order dated 05-12-2004 and the same is pending. Petitioner cannot be permitted to prosecute two parallel proceedings in respect of the very same impugned order. The first respondent - Government has to take appropriate decision in the appeal, in accordance with law. Therefore, a direction can be given to the first respondent to dispose of the appeal filed by the petitioner against the impugned order dated 05-12-2004.

4. In the result, the writ petition is disposed of directing the first respondent - Government to consider and pass appropriate orders on the appeal that is said to have been filed by the petitioner, within a period of four weeks from the date of receipt of a copy of this order, in accordance with law. No order as to costs.

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**K.C. BHANU, J**

February 3, 2005

**NOTE:** Furnish copy tomorrow

**(B/o)**

**MRR**

**Copy to:**

- 1 The Principal Secretary, State of Andhra Pradesh,  
Department of Tribal Welfare, A.P. Secretariat, Hyderabad.
- 2 The Collector & District Magistrate, Chittoor District, Chittoor.
- 3 The Commissioner Tribal Welfare, A.P. Secretariat, Hyderabad.
- 4 The Commissioner Commercial Taxes, M.J. Road, Hyderabad.
- 5 Deputy Commissioner of Commercial Taxes, Chittoor District,

Chittoor.

- 6 The Revenue Divisional Officer, Chittoor District, Chittoor.

- 7 Two C.C. s to the G.P. for Social Welfare, High Court Buildings,

Hyderabad (OUT)

- 8 Two C.D. Copies.